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THE
COMMONWEALTH AND PROTECTORATE

VOL. III.

SUPPLEMENTARY CHAPTER

HISTORY
OF
THE COMMONWEALTH
AND
PROTECTORATE

1649—1660

BY

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1654—1656

SUPPLEMENTARY CHAPTER.

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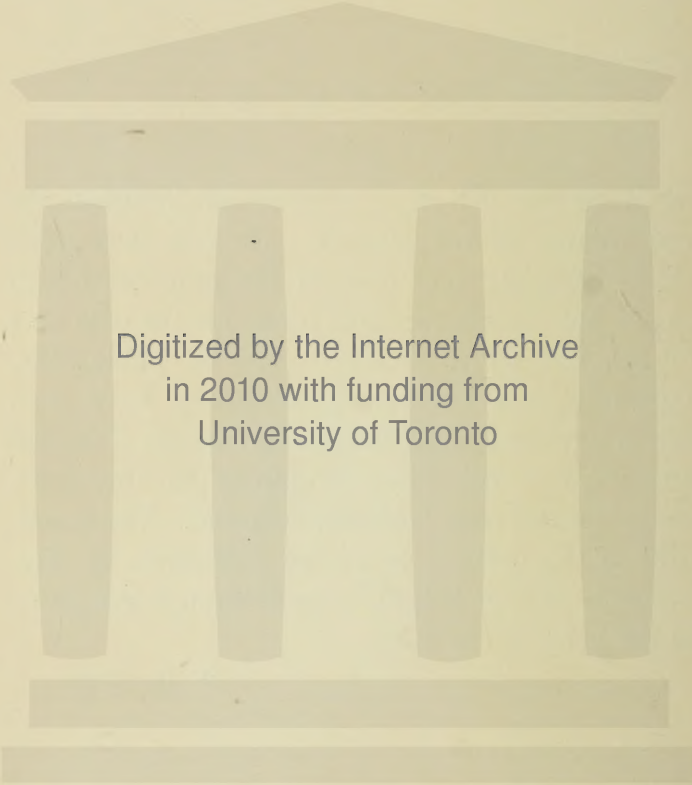
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PREFACE

MR. GARDINER fell ill soon after he published the third volume of his History. He was, unhappily, able to complete very little of the projected fourth volume, and the chapter now printed is the only part of it in a sufficiently advanced state for publication. In printing it a few verbal alterations have been made where some slight change or correction seemed necessary, but with these exceptions Mr. Gardiner's manuscript has been faithfully followed. The manuscript of the chapter is in the possession of Mrs. Gardiner; she has helped to see it through the press, and the index is her work.

C. H. FIRTH.



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CHAPTER XLIX.

PARLIAMENTARY ELECTIONS.

WHATEVER might be said, from a political point of view, of the Protector's gigantic schemes of foreign and domestic policy, there could be but one opinion as to the inadequacy of his financial resources to meet their cost. Even the Major-Generals had not been many days at work before they discovered that the product of the decimation would be insufficient to meet the expenses of the militia under their orders, a discovery which led to the demand that the limit of property below which there was to be no taxation should be considerably lowered. As might be expected, there was considerable difference of opinion as to the new limit, but the greater number—so far as their reports have reached us—asked that the tax might fall upon income derived from landed property down to 50*l.* a year, and upon personal property valued at 500*l.*, or even at 300*l.*¹ Whalley, writing from Nottingham, stood alone in objecting to a change, on the ground that 'it would discontent many, and ruin some in this county.' He was, moreover, persuaded that the change would 'bring very little into the treasury, the middling sort of men being almost all for the Parliament or neuters.' It is possible that this last objection may have been of purely local concernment, but, at all events, when the Council early in January

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Nov.—Dec.
Insuffi-
ciency of
the means
assigned to
the Major-
Generals.

They ask
that the
limit may
be lowered.

The pro-
posal re-
jected.

¹ Their reports, running from Nov. 1656 to Jan. 1657, are printed in *Thurloe*, iv. 215-391 *passim*.

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Complaints
of the diffi-
culty of
paying the
militia
troops.A reduc-
tion in the
number of
men or-
dered.

took the question into consideration, it came to the resolution that no alteration should be made.¹

The determination left the burden on the shoulders of the Major-Generals unlightened. When January drew to an end they were expected to find six months' pay for troops levied in the preceding June, and cast about in vain for the means of fulfilling their obligations. Goffe, writing on February 2, was the first to cry out. "The truth is," he wrote, "the money raised in this association will not . . . amount to above three months' pay; for though I am not prepared to send an exact account, yet I do clearly find that Sussex will not amount to above 1,500*l.* per annum, Hampshire 1,000*l.* per annum, and Berks will, I hope, rise to 1,000*l.* per annum, which for the two first counties is but just half as much as will pay the troops."² Butler again wrote that he needed 1,080*l.* for Northamptonshire alone, whereas the decimations in that county produced no more than 800*l.* in the half year.³ The reports from poorer districts were not likely to be even so favourable as these. A proposal of Goffe's that all the money collected should be paid into a common treasury having been set aside,⁴ the Council resolved on February 27 to reduce the number of the men in each troop in eleven counties from 100 to 80. It was not, however, till March 20 that this recommendation was accepted by the Protector.⁵ About three weeks

¹ Desborough to Thurloe, January 12; Worsley to Thurloe, January 24; *Thurloe*, iv. 413, 449.

² Goffe to Thurloe, Feb. 2, *ib.* iv. 497.

³ Butler to Thurloe, Feb. 7, *ib.* iv. 511.

⁴ Goffe to Thurloe, Feb. 2, *ib.* iv. 497.

⁵ Council Order Book, *Interr.* I, 76, p. 565. The counties were Oxford, Berks, Bucks, Herts, Hants, Sussex, Kent, Cambridge, Suffolk, Norfolk and Rutland; that is to say, all Fleetwood's district except Essex, the whole of Goffe's, and the whole of Kelsey's except Surrey,

later, on April 11, the Council, feeling no doubt that the eleven counties selected were better able to bear the burden than many others, determined, this time with the immediate approbation of the Protector, to make the reduction universal. The result was a diminution of expenditure from 80,067*l.* to 67,010*l.*¹

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The reduction, however, had no retrospective effect, and the delay of payment of any kind was certain to give rise to dissatisfaction. When on March 19 Goffe reduced the troops in Sussex,² paying them in full for the first half year, he was met with a demand for payment for another quarter as well. He was told by the officer in command that 'he could not hire servants at such a rate, to hire them for a year and put them off at three quarters' end with half a year's pay.' So angry were the soldiers that they at first refused to touch the money, crying out that they would have all or none. It was only on Goffe's representation that the third quarter was not yet at an end that they quieted down. In his letter to Thurloe Goffe acknowledged that their grumbling was not unreasonable, as many of them had spent more than they demanded 'in furnishing themselves with horse and arms.'³ So compassionate was Berry at Worcester that he paid the men dismissed as though they had been under arms for a whole year, asking that, if he had done wrong, the overplus might be deducted from his own salary.⁴

March 19.
Goffe
reduces
the Sussex
troops.

April 7.
Berry at
Worcester.

Rutland being relieved out of Butler's. Essex and Surrey may have been omitted as rich enough to pay the full amount.

¹ Council Order Book, *Interr.* I, 76, p. 861. Mrs. Everett Green, in the *Calendar* for 1655-56, has made an unfortunate slip in speaking of the old establishment beginning on June 24, 1655, as if it was to begin in June 1656. *Cal.* pp. 263-372.

² This was the day before the Protector's assent was formally given.

³ Goffe to Thurloe, March 22, *Thurloe*, iv. 642.

⁴ Berry to Thurloe, April 26, *ib.* iv. 742.

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Financial
arrange-
ments left
to the
Army Com-
mittee.

To avoid for the future any risk of bringing the Major-Generals into personal collision with their militia, the responsibility for the payment of the men was on April 11 transferred from them to the Army Committee of the Council which had hitherto been employed in making arrangements for the financial needs of the regular forces.¹ Whatever might be the result of the reduction effected in the militia, the Government—so far as the general national expenditure was concerned—had already reached the length of its tether. By the middle of May the Council was earnestly directing its attention to the almost insoluble problem of meeting, out of a strictly limited income, the expenditure required to carry out a spirited foreign policy. In 1654 the Protector had looked forward to the war with Spain as a lucrative enterprise. In 1656 its cost was more evident than its gains. Jamaica had not hitherto shown itself a profitable acquisition, whilst the Plate fleet had not as yet been captured.²

Dec. 1655.
A deficit.

So far as it is possible to recover a trustworthy balance-sheet from a few imperfect and disconnected accounts, it may be gathered that at the close of 1655 the national finances showed a deficit of somewhat more than 230,000*l.*, though every care had been taken to economise in the home government by lopping off expenses with a severe hand.³ It might

¹ Council Order Book, *Interr.* I, 77, p. 41.² See Corrigenda at the end of Vol. iii.³ See *Carte MSS.* lxxiv. fol. 7, 18; *Rawlinson MSS.* A, 195, fol. 241.

<i>Expenditure.</i>				<i>Revenue.</i>			
	£	s.	d.		£	s.	d.
Army . .	1,057,819	12	0	Assessments . .	919,478	4	0
Navy . .	768,538	8	3 ³ / ₄	Customs and Excise	700,000	0	0
Miscellaneous	124,220	15	10	Miscellaneous . .	101,000	0	0
Total . .	1,950,578	16	1 ³ / ₄		1,720,478	4	0

I am inclined to think that the miscellaneous expenditure is under-

be found possible in the course of 1656 to make some slight diminution in the expense of the navy, and to find some relief in the results of the disbandment and plantation in Ireland. Such favourable prospects were, however, more than counterbalanced by the increasing load of debt, which there was no visible means of lightening or even of maintaining at a stationary level.¹ Yet, in all this, no account was taken of the sums needed for the operations which the Protector was proposing to conduct against Dunkirk in co-operation with France, still less of those which would be required if the Protector's magnificent scheme of a war against the whole House of Austria in defence of the Protestant interest were to be reduced to practice. Whatever differences of opinion may be entertained as to the wisdom of Oliver's foreign policy, there can be no doubt that, in the spring of 1656, it threatened to land him in financial ruin.

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Before the end of May it had become evident that the meddlesome proceedings of the Major-Generals combined with the pressure of taxation were giving strength to a demand, heard at least in London and its neighbourhood, for the assembly of another Parliament.² The Council having been

May.
A cry for a
Parliament.

estimated, but whether the miscellaneous revenue is also I cannot say. At all events the deficit may have been greater and cannot have been less than is shown above.

¹ The debt on the navy alone was estimated in August 1655 as 200,000*l.*, in addition to 38,000*l.* due for the freight of ships formerly hired. *Carte MSS.* lxxiv. fol. 29.

² Giavarina to the Doge, ^{May 28}_{June 27} *Venetian Transcripts, R.O.* The Venetian Resident speaks of the discontent as raised solely by the burden of taxation, and describes the cry for a Parliament as universal. It is safe to add the discontent caused by the action of the Major-Generals, and equally unsafe to suppose that any foreign diplomatist could give evidence worth having on the state of feeling in the country districts.

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Meeting of
Councillors
and Major-
Generals.

unable to come to a conclusion on the financial difficulty, the Major-Generals were summoned to London to give advice on a subject which threatened to undermine the system of which they were the representatives most prominent in the eyes of the world.¹ So unusual a stir in the regions of government gave rise to the belief that important changes were at hand, and it is noteworthy that this belief took the form of a premature rumour that it had been decided to summon Parliament—not, as in the preceding year, that the Protector was about to change his title or assume the legislative power.²

A demand
for a new
general.

Nor were the Protector's difficulties lightened by a demand, coming from a military quarter, that he would pass the command of the army to a soldier who would be able to attend exclusively to the needs of the soldiers. The position became still more strained when the Protector, having agreed to give up the generalship provided that it might be filled by his son-in-law Fleetwood, was answered with a request that Lambert might rather be selected. That the appointment of Lambert would place the army in the hands of a man to whom Oliver's idealisms were the vainest of follies could be no secret, and it is no matter of surprise that the Protector refused his consent to what was practically a summons to abandon that part of his policy which lay nearest to his heart.³

Opposition
between
Oliver and
Lambert.

It would be interesting to know who were the officers who stood by Lambert on this occasion, and still more to know whether, as there is reason to

¹ For this meeting of the Major-Generals see also Carte, *Original Letters*, ii, 109.

² Giavarina to the Doge, ^{May 30} June 9, *Venetian Transcripts*, R.O.

³ *Ib.*

suspect, they were identical with those who now urged the calling of a Parliament which, whatever else it might do, was certain, if only for financial reasons, to look coldly on the Protector's more far-reaching designs of foreign policy. Though we are reduced to conjecture in this matter, it is not unlikely that the strong opposition of the Protector to the proposal for calling a Parliament was based on something more than a fear lest a new Parliament would take up the ground occupied by the last one, and would strive to establish its own supremacy on the ruins of the Instrument. However this may have been, the attitude of the Protector was one of uncompromising hostility to the very notion of summoning a Parliament, and an equally uncompromising advocacy of a scheme for raising additional taxation by executive authority alone. The only question with him was what that scheme should be. Of three that were proposed—the doubling of the monthly assessment of 60,000*l.*; a recurrence to the system of Privy Seal loans; and the extension of the decimation to others than Royalists,¹ he unhesitatingly chose the last, which, as it did not touch anyone with an income derived from land under 100*l.* a year or in possession of personal property valued at less than 1,500*l.*, had, like the modern income-tax, the advantage, in the eye of a government, that it roused no opposition in that great majority whose circumstances were materially less easy than those of their more well-to-do neighbours.

That the course he now recommended was unconstitutional as well as illegal probably troubled the Protector little, as he was by this time inured to the

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The Protector's arguments for the extension of the decimation.

¹ Giavarina to the Doge, June $\frac{1}{2}$ ³, July $\frac{1}{14}$, *Venetian Transcripts*, R.O.

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habit of playing fast and loose with the Instrument whenever he considered that a necessity had arisen. Yet though he was under no obligation to summon Parliament before January 22, 1658, and though if he acted in accordance with his Council he had the right to levy without recurrence to Parliament any sum, however large, that he considered to be needed for the maintenance of 30,000 men and of a convenient number of ships for the guarding of the seas, he was not allowed to raise money in this fashion for the maintenance of 40,000, which was about the number on foot in the three countries, to say nothing of the garrison of Jamaica.

Oliver con-
sents to
summon a
Parlia-
ment.

However trenchantly Oliver may have defended the position he had taken, he was not long in discovering that soldiers and civilians were alike against him. Finding his plan generally condemned as impracticable, he gave way with a good grace and consented to the calling of a supplementary Parliament, as authorised by the Instrument—which, indeed, he ought to have summoned when war broke out not many months before.¹ It was not the least of the defects of that constitution that it provided no independent organ for the interpretation and enforcement of its directions. The consequence was that whilst the Protector and Council assumed the right of compelling others to conform to it, they reserved to themselves the right of explaining its terms

¹ Article XXIII. ran thus:—"That the Lord Protector with the advice of the major part of the Council, shall at any other time than is before expressed, when the necessities of the State shall require it, summon Parliaments in manner before expressed, which shall not be adjourned, prorogued, or dissolved without their own consent during the first three months of their sitting; and in case of future war with any foreign State a Parliament shall be forthwith summoned for their advice concerning the same."

in their own fashion, or even of neglecting to fulfil its positive directions whenever they thought such a course desirable. The condition on which Oliver gave his consent to the meeting of Parliament, namely, that no member should be allowed to take his seat without a certificate from the Council,¹ was in itself an interpretation in his own favour of what was at the best an ambiguous clause of that Instrument, the express stipulations of which he flagrantly disregarded where he believed them to be in contravention with the national welfare.²

On June 26 it was publicly made known that the writs for electing a Parliament would shortly be sent

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June 26.
Announcement that
a new Parliament
will be
summoned

¹ Giavarina to the Doge, July $\frac{4}{14}$, *Venetian Transcripts, R.O.*

² The 14th and 15th Articles exclude from Parliament and from voting at elections, those who had participated in the war against Parliament, all persons who had taken part in the Irish Rebellion, and all Roman Catholics. The 16th Article declares all votes and elections made contrary or not according to these qualifications to be null and void. The 17th lays down the rule 'That the persons who shall be elected to serve in Parliament shall be such (and no other than such) as are persons of known integrity, fearing God, and of good conversation, and being of the age of 21 years.' When we come to the 21st Article we find that the Clerk of the Commonwealth in Chancery is 'for the next Parliament and the two succeeding triennial Parliaments,' to certify the returns to the Council, 'who shall . . . examine whether the persons so elected and returned be such as is agreeable to the qualifications, and not disabled to be elected.' The reference to the next Parliament and the two succeeding ones shows that the Instrument only provided for the action of Council in controlling the returns for the first three Parliaments out of the four during which Royalists were to be excluded. After that it is to be supposed that Parliament was to regain its own jurisdiction over elections. The only question arising in 1656 was whether the members 'disabled to be elected' comprised those mentioned in the 17th Article as well as those in the 14th and 15th. On the one side it may be argued that both were disabled; on the other hand that the words are put in connection with 'qualifications,' and that the word qualifications in the 16th Article appears only to refer to those already mentioned in the 14th and 15th. Of the interpretation subsequently placed on Article 17 I shall speak hereafter.

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out.¹ It soon became evident that the issues of 1654 were dead. The writs when they appeared directed, as they had done two years before, that the principal electors should seal an indenture obliging their newly elected member not to derogate from the Government as established in a single person and a Parliament, without rousing the faintest opposition. Still less was there any thought of opposing the zealots of the nominated Parliament, whose influence was no longer to be feared. Two tendencies of political thought, each commendable in itself, now divided the field. On the one side were ranged what it was the fashion at Whitehall to style 'the honest party,' who desired to maintain the Protectorate, though they wished, for the most part, to establish it on a civilian or Parliamentary basis; and on the other side a motley group whose views ranged from concealed Royalism at one extremity to the fanaticism of the Levellers and Fifth Monarchists at the other; but which was strengthened and sustained by a desire to abate the influence of the army, and to substitute for it the control of Parliament over the executive.

The Protector has no intention of interfering in the elections.

So far as it is possible to gather from the scanty evidence that has reached us, the Protector—at least during this early stage—had no intention of interfering with the elections, perhaps feeling himself secure in the exercise of the power of exclusion which he had claimed for himself and the Council.²

¹ Thurloe to H. Cromwell, July 1, *Thurloe*, v. 176.

² 'Eletti scelti devono esser li membre dalle Communità, e poi approvati da sua Altezza e consiglio.' Giavarina to the Doge, July 14, *Venetian Transcripts*, R.O. "All possible care is to be used that the qualifications in the Government be observed, and the recognition is to be first taken before they sit in the House." Thurloe to H. Cromwell, July 1, *Thurloe*, v. 176.

On July 16, Haynes, writing from Norwich, the centre of the Fifth Monarchist opinions not unmingled with a strong Royalist element, wrote almost despairingly of the situation. No declaration from the Government, he complained, had accompanied the writs, an omission which was in his opinion the more disastrous 'in regard the newsbook lately proclaimed a free election; which,' he added, 'is made use of in discourse in the worst sense, and feared will be practised accordingly.' "Indeed," he concluded this part of his letter, "I am jealous we shall send you as bad as we dare choose; and, if there be any alteration of the choice, it will be for the worse . . . and if I might not be thought too impertinent, I would again offer to consideration that the militia troops might be paid, and so mustered before that time, as that which might be improved to a good advantage in this affair."¹ It is to the credit of the Government that they refused to act on this suggestion. Whalley, on the other hand, was more hopeful. "The general temper of men's spirits," he wrote in defiance of grammar, "are to have a settlement. I trust in the Lord, we shall have a good Parliament."²

It is by no means unlikely that, if the Protector could have been assured that no opposition but that of argument was to be dreaded, the elections would have been as free from governmental interference in 1656 as they had been in 1654. This was, however, far from being the case. On June 26 Wildman had been released on bond for three months, ostensibly to attend to his business concerns.³ Yet within a week at the longest his signature was appended to a

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Haynes on
the situa-
tion.

Wildman
released.

¹ Haynes to Thurloe, July 16, *Thurloe*, v. 220.

² Whalley to Thurloe, July 21, *ib.* v. 234.

³ Council Order Book, *Interr.* I, 77, p. 201.

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A petition
to Charles
II.

Wildman
informs the
Protector.

petition to Charles,¹ promoted by William Howard, a younger son of Lord Howard of Escrick.² Howard was himself an Anabaptist, and the demands which accompanied the petition were those likely to be put forward by a coalition of Anabaptists and Levellers. On the one hand complete religious liberty and the substitution for tithes of some new way of supporting the clergy were asked for, together with the relief of the gathered churches from payment thereto; on the other hand the Long Parliament was to be restored, not as it stood at its dissolution in 1653, but as it stood in its two Houses before the disruption of 1642. The signatories were ready, as Howard declared, 'to redeem that liberty by arms and force which was treacherously stolen from them by deceit and fraud.'³ That Wildman carried the secret to the Protector there can be little doubt. It is hardly likely that he would have been liberated on any other terms, and though, from this time forward, he posed at Bruges as a Royalist, his straightforwardness was suspected by Charles's more prudent ministers, and, what is more to the purpose, not only was he left at liberty after the expiration of his nine months' bail, but special orders were sent on July 3 from the Protector himself, directing the Lancashire Commissioners to surcease any further proceedings against his estates in that county.⁴

However necessary it might be to keep an eye on

¹ Charles's answer was dated July $\frac{1}{4}$, *Clarendon MSS.* lii. fol. 70.

² He succeeded to the title himself in 1678 and became notorious in the State trials at the end of Charles the Second's reign.

³ The petition and other documents relating to it are printed in Mr. Macray's edition of Clarendon's *History of the Rebellion*, xv. 105-130.

⁴ The Lancashire Commissioners to Thurloe, July 23, *Thurloe*, v. 241. For other grounds of suspicion against Wildman see Mr. Firth's life of him in the *D. N. B.*

this design, it was evident, from the mere fact that Howard had asked the impecunious Charles to advance 2,000*l.* to start the political machinery, that no immediate danger was to be apprehended. It was otherwise when news reached Thurloe on July 8 of a meeting of Commonwealth's men, including Lawson and Clement Ireton, a brother of the late Lord Deputy, to consider 'what opportunity they might have from the Parliament's meeting, and whether they were not to endeavour elections of good men.' Okey, who was closely connected with the party, had been travelling about England, and was known to have had interviews with Harrison and Bradshaw. Unless Thurloe was misinformed, another meeting, held by the Fifth Monarchists on the same day, came to still more trenchant resolutions, concluding that the saints must pull down Babylon, 'the time to be now, and the means to be by the sword.' Five delegates were to be appointed who were to collect information from the members of the different meetings as to 'what readiness they are in . . . what force they have, what arms, what money, and when to be ready?'¹

What further information reached Thurloe during the succeeding fortnight is unknown. On July 25, Barkstead reported that the wife of Colonel Robert Overton had started for Hull, though she had recently obtained leave to share her husband's imprisonment in the Tower,² and it is hardly pushing conjecture too far to suppose that her object was to disseminate amongst the soldiers of a garrison which had not long ago been under Overton's command, invitations

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July 8.
Meetings of
Common-
wealth's
men and of
Fifth
Monar-
chists.

¹ The effect of the meeting of the Fifth-Monarchy men, July 8, *Thurloe*, v. 197.

² On July 3, Council Order Book, *Interr.* I, 77, p. 224.

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July 29.
Lawson,
Portman,
Venner,
and Okey,
sent for.

Aug. 1.
England's
Remem-
brancers.

to separate their cause from that of the Government.¹ In the same report Barkstead mentions Portman, a Baptist, who held an office under the Navy Commissioners, and Thomas Venner, a cooper by trade, who preached at a meeting-house of his own, as under suspicion,² and on July 29 these two, together with Lawson and Okey,³ were sent for by the Council. From a letter of Thurloe, written three weeks later, it appears to have been the intention of the Government to take proceedings against them, on the ground that they had endeavoured to raise disturbances; but as nothing further is known of any action against them, except that Portman lost his place, it is to be presumed that they contrived to satisfy the Council that no appeal to force was contemplated on their part. Venner's escape from punishment is the more unintelligible, as on Sunday, August 3, two men were employed at his meeting-house, whilst he was himself engaged in prayer, in distributing amongst his congregation⁴ a paper bearing the name of *England's Remembrancers*, which had been scattered about the streets of London two days before, and which was subsequently despatched in bundles for circulation amongst the country constituencies.⁵

¹ Such an invitation is to be found in a broadside addressed 'To the Honest Soldiers of the Garrison of Hull,' of which the B. M. Press Mark is 669, f. 20, No. 31. This is dated by Thomason Sept. 25, but it is possible that this is the date of a reprint. The address to the soldiers deals mainly with the case of Mr. John Canne, but concludes with a general attack on the Government.

² Barkstead to Thurloe, July 25, *Thurloe*, v. 248.

³ Warrant Book, *Interr.* I, 114, pp. 21, 24. One of the names given as 'Verney' in the Calendar is in shorthand. Mrs. Lomas tells me that there is no doubt that it should be read 'Vaner,' i.e. Venner.

⁴ Information of Morris and others, Aug. 3, 4, *Thurloe*, v. 272.

⁵ This paper is reprinted in *Thurloe*, v. 268. The statement that it had been scattered about the streets by night is given by Thomason, E, 884, 885.

As an electioneering manifesto on behalf of a composite Opposition it would be difficult to improve on an appeal which embraced at the same time the religious and secular motives which influenced men who were not Royalists, but who, nevertheless, detested the Protectorate from the bottom of their hearts. Protesting against the despair which might lead such men to abstain from going to the poll on the ground that resistance was useless, the author argued that in no other way could honest men effectively protest against the existing misgovernment. "How," he asked, "is the profession of holiness . . . blasted with the names of hypocrisy, falseness, ambition, and covetousness! How is the glory and strength of our nation spoiled and the blood of many thousands poured forth in waste, like water! How is the treasure exhausted, trade and commerce destroyed! And how are all our rights, liberties, and properties invaded and subverted by arbitrary powers and force of arms! Who can say his life or estate is secured for a moment if the jealousy, envy, pride, lust, or covetousness of some in power please to command it? And how is destruction threatened daily by foreign enemies!" Whatever might be said to them, the electors must not suffer themselves to be blinded to the paramount importance of laying down the law through their own representatives. If they elected men who would stand firm against temptation all might yet be well. "Your liberties," they were assured, "will be vindicated, your grievances and burdens eased, the honour of our country—that now lieth in the dust among all nations—will be again restored; your trade revived, peace and plenty returned. . . . What shall we say more to you? . . . Do not the tears of the widow and the cries of

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Its
character.

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the fatherless speak ? Do not your infringed rights speak ? Do not your invaded properties speak ? Do not your gasping liberties speak ? Do not your often affronted representatives — which have been trod upon with scorn—speak ? Do not your encumbered estates speak ? Do not the blood of many thousands speak—some slain with the sword, and others killed with hunger ?¹ Do not the cries of your poor brethren, the honest seamen, the wall and bulwark of our nation against foreigners, who have so freely ventured their lives upon all just accounts and calls, and are now most barbarously forced from their wives and children to serve the ambitious and fruitless design of one man : do not all our ruins at home and abroad, by land and sea, speak to you ? Surely they have loud voices ; surely they do daily cry in your ears, Help ! Help ! or England perishes ! ”

The case
for the
Opposi-
tion.

Undoubtedly there was much in this indictment which, at the time of its appearance, it was hard to deny. Heavy taxation, disorganised finance, the ravages of pestilence in Jamaica, the blows struck at trade by the Biscayans and the Dunkirkers were, up to August 1656, the main visible fruits of the foreign policy of the Protectorate. No wonder a cry was raised for a change of system. The weakness of the challenge lay in the conviction of those from whom it proceeded that the full religious liberty which they advocated was, in their day, inconsistent with the supremacy of Parliament. Such as it was, the Government lost no time in taking up the glove if, as seems far from improbable, Rich and Alured, who were committed on the 14th to custody, the former in Windsor Castle and the latter in the Isle of Man, were charged with being either the authors or the

Aug. 14.
Committal
of Rich and
Alured.

¹ To this is appended a marginal note, ‘ Witness Jamaica ! ’

original disseminators of the manifesto.¹ Three other men of mark had been summoned before the Council, even before the appearance of *England's Remembrancers*, and on each case the charge was not merely of having opposed the policy of the Government, but of having sought to substitute a basis of authority for that on which the Government purported to be established. Bradshaw, who appeared on August 1, still held the Chief Justiceship of Chester and the justiceship of three Welsh counties; though deprived of those posts on his persistent refusal to acknowledge the legitimacy of the Government under which he served, he was sent home without further punishment.² On the same day Ludlow was summoned on the charge of stirring up disaffection in the Irish army. In vain Oliver urged that the objects of the war had been now obtained. To his question, "What can you desire more than you have?" the unbending republican answered: "That which we fought for, that the nation might be governed by its own consent." "I am as much," replied the Protector, "for a government by consent as any man; but where shall we find that consent? Amongst the Prelatical, Presbyterian, Independent, Anabaptist, or Levelling parties?" Even Ludlow, in advocating government by consent, had no thought of bowing to the will of the majority. The majority in which he trusted was, he declared, to be found amongst those of

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Aug. 1.
Bradshaw
deprived of
his offices.

Ludlow
before the
Council.

His argu-
ment with
the Pro-
tector.

¹ Council Order Book, *Interr.* I, 77, p. 329. Nothing is stated as to the cause of their imprisonment, but the absence of notice of any suggestion that they might escape by giving security not to act against the Government seems to show that they had been guilty of some special offence.

² *Ib.* p. 306. A report of Bradshaw's examination by the Council is amongst Lord Braye's MSS. On Sept. 29 he was allowed to go circuit, perhaps because his successor had not been appointed.

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He is
allowed to
retire to
Essex.

Vane's
case.

May 12.
A *Healing*
Question.

all sorts who had acted with fidelity and affection to the public. On this the Council gave him four days to give security not to act against the peace of the Commonwealth, in default of which he was to stand committed.¹ Yet, though he persistently refused to enter into any such conditions, the Protector could not find it in his heart to imprison him, and in the end he was allowed to retire in peace to the house of his brother-in-law in Essex. His own explanation of his escape was that all that Oliver really wanted was to remove him from his own county of Wilts whilst the election was pending.²

As a matter of fact, Oliver must have known perfectly well that, though Ludlow would never recognise the Protectorate, it was most unlikely that he would conspire against it. He did not feel so certain of Vane. On May 12, before any resolution to summon Parliament had been taken, Vane had seized the pretext offered by a few vague words in the proclamation in which the Protector had commanded a fast,³ to set forth his view of the political situation in a pamphlet, to which he gave the title of *A Healing Question*. He defined the good old cause, of which he proclaimed himself to be the champion,⁴ as consisting primarily in religious liberty, and secondarily in control of all civil and military authorities by successive Parliaments freely elected, not

¹ Council Order Book, *Interr.* I, 77, p. 306.

² Ludlow's *Memoirs*, ii. 10-15. The Council to Serjeant Dendy, Aug. 6, *S. P. Dom.* cxxix. 105a.

³ 'That the Lord would pardon the iniquities both of magistrate and people in these lands, wherein the magistrate desires first to take shame to himself and find out his provocations.' *Proclamation*, March 14, B. M. Press Mark, 669, f. 20, No. 25.

⁴ In the body of the work he calls it merely 'the good cause.' The phrase which afterwards became famous is employed in the final note.

by the nation at large, but by the adherents of the cause. In no other way, he argued, could a military despotism be averted. If this were conceded, he was ready to meet the Protector half-way. He had no objection to a constitutional impediment to any infringement of the principle of religious liberty, provided that it was established by Parliament; no objection to a council appointed for life, or even to the predominance in the executive of a single person, provided that council and executive were alike subject to parliamentary control.¹ The modern reader, indeed, will have nothing but praise to award to the challenge thrown out by Vane against those who hold that a few can be trusted permanently to deal out benefits to the many. Nothing can be better than the argument: "It is not denied but that the supreme power, when by free consent it is placed in a single person or in some few persons, may be capable also to administer righteous government; at least, the body that gives this liberty when they need not are to thank themselves if it prove otherwise. But when this free and natural access unto government is interrupted and declined, so as a liberty is taken by any particular member, or number of them . . . to assume and engross the office of sovereign rule and power, and to impose themselves as the competent public judge of the safety and good of the whole, without their free and due consent, and to lay claim unto this as those that find themselves possessed of the sword . . . this is that anarchy that is the first rise and step to tyranny, and lays the grounds of manifest confusion and disorder, exposing the ruling power to the next hand that, on

¹ *A Healing Question*, E, 879, 5. The pamphlet is reprinted in the Somers Tracts.

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the next opportunity, can lay hold of the sword; and so, by a kind of necessity, introduces the highest imposition and bondage upon the whole body, in compelling all the parts, though never so much against the true public interest, to serve and obey, as their sovereign rule and supreme authority, the arbitrary will and judgment of those that bring themselves into rule by the power of the sword, in the right only of a part that sets up itself in preference before, or at least in competition with, the whole.”¹

Vane and
religious
liberty.

Instinct with truth as the argument is, the passage is the work of a theorist, not of one whose eyes are directed to the world of actual life. To Vane, as to Oliver, religious liberty was a condition of the exaltation of the soul, but it was hardly, as it was to Oliver, a condition of a healthy political life. What answer, moreover, could Vane give to the question how he was to maintain the exclusion from political life of all who had opposed the good old cause, and still less, how he was to prevent those who had adhered to it from drawing up lists of damnable heresies and starting on the career of persecution afresh. Oliver's system no doubt was faulty in itself, and could hardly be expected to maintain itself permanently, but at least he saw all round the political horizon, and erred because the time was not yet ripe to evolve from the bosom of the nation the guarantees for liberty which he sought in vain in his own generation.

Vane
stands for
Parlia-
ment.

For three months Vane's pamphlet circulated without hindrance from those in authority. It had none of the coarse fibre which gave its popularity as a party weapon to *England's Remembrancers*. In August it was known that Vane aspired to a seat in the new

¹ *A Healing Question* E, 879, 5, p. 16.

Parliament. Yet his chance of success was not great. The corporation of Boston and the larger constituency of Lincolnshire received his addresses with coldness. "If anything," wrote Whalley with some shrewdness, "promote and accomplish his desire, I fear it will be his sending for at this juncture of time."¹ It was already too late to take Whalley's advice. Vane had been summoned before the Council on July 29, apparently to show that the Protector had no intention of submitting the Instrument to the judgment of Parliament.² On August 20, he announced to the Clerk of the Council that it was contrary to the privilege of an Englishman to obey the summons on compulsion. On the following day he was ordered to give security not to act against the Government or the peace, and on his refusal was sent, on September 4, into confinement at Carisbrooke.³

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July 29.
Vane sum-
moned
before the
Council,Sept. 4.
and com-
mitted to
prison.

Reprehensible as was the Protector's treatment of Vane from a constitutional point of view, he was at least practically in the right in holding that if the honest party was to be secured in possession of authority, it must be with the support of the army and not, as Vane proposed, solely by manipulating the parliamentary machinery in its interest. So far as the electors were concerned, the Major-Generals did their best to popularise what they regarded as right opinions, and the words of a Major-General could not but carry weight in the district over which he presided. On the other hand, except that packets of *England's Remembrancers* were seized wherever they were found, there was little done to terrorise

The Major-
Generals
and the
elections.

¹ Whalley to the Protector, Aug. 11, *Thurloe*, v. 299.

² Thurloe to H. Cromwell, *ib.* v. 317.

³ Vane to the Clerk of the Council, Aug. 20, *ib.* v. 328; Council Order Book, *Interr.* I, 77, p. 373. *The Proceedings of the Protector against Sir H. Vane*, E, 937, 2.

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Haynes
in the
Eastern
Counties.

the voters by hints of evil to befall them if they gave their voices against the Government.

Of the correspondence which has reached us the fullest is that of Haynes, who, as is known by his treatment of the parties at Colchester, was by no means wanting in vigour. Writing from Bury St. Edmunds, he regrets that he had received no hint that 'some care will be taken as to the encouragement of honest men in their choice of Parliament men before and after the election.' Honest men, he added, would do their best in Suffolk, but 'will be compelled to take in with the Presbyterian to keep out the malignant.'¹ At Norwich Haynes was much troubled by one Boatman, a Fifth-Monarchy preacher, who had a strong hold on a large congregation meeting at St. Peter Mancroft. Having obtained an order from Thurloe, the Major-General commanded him to present himself in London. Boatman, however, pleaded a verbal permission from the Protector to remain in the country, and refused to stir. All that Haynes could do was to inhibit him from preaching in Norwich, with the result that he removed to a church two miles outside the city, where multitudes flocked to hear him. In vain Haynes begged that the Protector would confirm the order of his secretary, but till the election was over the Protector could not be induced to interfere.² In the end, though Fleetwood was elected, the other members returned for the county were hostile to the Government either as Royalists or sectaries, 'by which choice,' as Haynes mournfully remarked, 'the

Case of
Boatman.The Nor-
folk elec-
tion.

¹ Haynes to Thurloe, July 19, *Thurloe*, v. 230.

² Haynes to Boatman [Aug. 7?]; Boatman to Haynes, Aug. 8; Haynes to Thurloe, Aug. 10, 15; Haynes to the Protector, Aug. 15, *ib.* v. 289, 296, 311, 312.

profane, malignant and disaffected party and scandalous ministry are gratified.' "If other counties," he added, "should do as this, it would be a sufficient alarm to stand upon our guard, the spirits of people being most strangely heightened and moulded into a very great aptness to take the first hint for an insurrection, and the county especially so disposed may most probably begin the scene."

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With such a prospect before his eyes Haynes recurred to the advice which he had tendered a month before. "I most humbly beg," he continued, "that a speedy order may be taken for the paying and mustering of militia horse, for as yet they have not been called together, and so am I not able to assure you what assistance you may reasonably expect from them. . . . If something of this nature be not done for encouragement of your friends, their spirits will in all likelihood despond very much."¹ To such counsel the Protector gave no heed. There was to be no jingling of the sword which he held in his hands.

Whalley's reports were far more hopeful than those of Haynes. In Lincolnshire he declared 'a man would not be chosen but upon apprehensions that they would not change the Government.'² Writing from Nottingham, he declared his belief that 'in the mediterranean part of the nation' the heart was sound. "The people," he explained, "generally know there is a present necessity for moneys; the parting with it upon a settlement will not trouble them. They are no less sensible of the necessity of establishing the present Government, the wisest of them well knowing that many changes will prove

Whalley's
reports.

¹ Haynes to Thurloe, Aug. 20, *Thurloe*, v. 328.

² Whalley to Thurloe, Aug. 9, *ib.* v. 296.

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both chargeable and dangerous to them; and I am very confident that not a man from hence would be chosen to sit in this Parliament in whom they conceived a spirit of opposition to this present Government.”¹

Undoubtedly there was much truth in Whalley's argument that the constituencies, in general, were loath to face the dangers of a new revolution. Yet the Opposition had on its side a feeling stronger than royalism or a craving for the rule of the saints. In Northumberland and Durham—at Hazlerigg's instigation, as Lilburne suspected—the cry was raised that the people would ‘have no swordmen, no decimator, or any that receives salary from the State to serve in Parliament.’² In far-off Kent, Kelsey made a similar report. “Most of the Cavaliers,” he wrote, “falling in with the Presbyterians against all those persons that owned your Highness and the present Government; and the spirit is generally bitter against swordmen, decimators, courtiers, &c., and most of those chosen to sit in the ensuing Parliament are of the same spirit.”³ So disastrous did the result appear to Kelsey that he recommended that dormant commissions might be granted to certain persons in order that in case of an outbreak the honest party might know to whom to rally, and that when Parliament met the members might be asked to sign a recognition so penned as to keep out the most dangerous, and suggested that seats should be refused to all who would not accept the Instrument as it stood, engaging ‘not to meddle with altering any part of it.’

Yet when the elections were completed the result

¹ Whalley to the Protector, Aug. 11, *Thurloe*, v. 299.

² Lilburne to Thurloe, Aug. 9, *ib.* v. 296.

³ Kelsey to the Protector, Aug. 26, *S. P. Dom.* cxxix. 156.

did not appear so threatening to the Government as Haynes and Kelsey had anticipated. The Opposition, indeed, were represented by Cooper, Scot, Hazlerigg, Birch, Grimston, and Herbert Morley, but it would be difficult to find any others possessing any sort of distinction, whilst neither Vane, Bradshaw, nor Ludlow had secured seats in the House. On the other hand, of the eighteen Major-Generals and deputies, every one, except George Fleetwood, had been returned. Of the fifteen members of Council four were Major-Generals, and of the remaining eleven all obtained seats except the Earl of Mulgrave and Lord Lisle, who probably did not offer themselves for election. Room, too, was found for Admiral Blake and for such officials as Thurloe, Whitelocke, Lenthall, John Lisle, and Maidstone, besides Richard Cromwell, who was chosen both by Cambridge University and Hants, and his brother-in-law Claypole, who obtained a seat at Carmarthen.

So far as the boroughs were concerned the renewal of charters had not had time to take effect, except at Chipping Wycombe, where Bridge, who had lately succeeded upon Worsley's death to the Major-Generalship of the North-west, was returned in the place of Scot, and in Colchester, where the election was deliberately postponed till September 12, the day on which the new Mayor, Aldermen, and Common Councillors took the oaths under the new charter.¹ The free burgesses being now excluded from the franchise, the election fell upon such staunch sup-

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Result of
the elec-
tions.

Borough
elections.

Chipping
Wycombe.

Colchester.

¹ 'Having till this time forborne to proceed to the electing of persons to serve for this borough in Parliament, yesterday, being Friday, we resolved upon the election.' Letter from Colchester, Sept. 13, *Merc. Pol.*, E, 497, 20. This confirms Mr. Round's suggestion in the *Eng. Hist. Rev.*, Oct. 1900, xv. 658.

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Influence
of the
Major-
Generals.

porters of the Protectorate as Lawrence and Maidstone.

Of far greater importance is the question of the effect of the influence exercised by the Major-Generals upon the course of the elections. What evidence has reached us points to its being far less than has generally been supposed,¹ and there can hardly be a doubt that the hostility they aroused counted for more in strengthening the Opposition than any pressure they might exert could avail on behalf of the Government. A further consideration tends in the same direction. Of the most determined opponents of the Government returned to this Parliament a very considerable majority represented constituencies in those southern and eastern parts of England which had been the main support of Parliament in its struggle with the King, whilst there were but thirty scattered over those northern and western districts which had been the strength of the Royalist cause. There can hardly be any doubt that the explanation of this phenomenon lies in the fact that in the north-western districts, Puritans who opposed the locally predominant royalism, were ready to grasp any hand held out to save them from a reaction in favour of the King and of all that his name imported; whereas in the south-east, men who had served under the Puritan and Parliamentary standard felt themselves strong enough to enter into a contest with the military power which held them down, and even in some parts to cast their votes on behalf of their Royalist

¹ Goffe's instance is a case in point. In his letter after his election he ascribes it to the influence of Richard Cromwell, whereas Colonel Norton had not only left his name off his list, but advised him to withdraw his candidature on the ground that it would be a disgrace for him to be beaten. This is hardly the language of a hectoring manager of elections. Goffe to Thurloe, Aug. 21, *Thurloe*, v. 329.

neighbours rather than for men whom they regarded as the mere satellites of a Major-General.

The battle of the polls had been fought out by two distinct parties attaching themselves to two distinct policies—the policy of uncompromising hostility to the Protectorate as an arbitrary government ruling by the sword, and the policy of building up a constitutional settlement on the foundations already laid. Yet, diverse as were these opinions, they might easily be welded into one opposing force if Kelsey's advice to tolerate no divergence from the Instrument were adopted. No constitutional settlement was attainable on such lines as these, and any attempt to give permanency to the existing system could only avail to drive the new Parliament as a whole to demand a settlement on some such plan as had commended itself to its predecessor.

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Two
policies
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